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EXAMINER	
AJIBADE AKONAI, OLUMIDE	
ART UNIT	**PAPER NUMBER**
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/786,306	DAITA, RIE	
	Examiner	Art Unit	
	Olumide T. Ajibade-Akonai	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *5-7,19 and 20* is/are allowed.

6)☒ Claim(s) *1-4 and 8-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

DETAILED ACTION

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4, 2, 8, 10 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Zhang et al (20030224830)** in view of **Ranta (6,751,485)**.

Regarding **claim 1**, Zhang et al discloses a portable communication terminal set (mobile telephone, see fig. 1 and 2, p.1, [0015]) comprising a radio part (inherent, since all mobile telephones require a radio component consisting of at least a transceiver and antenna for mobile communications such as receiving incoming calls from other telephone devices, see figs. 1 and 2, p.2, [0018]) for executing radio communication with external sets, a memory part for storing data including image data (graphs or photographs, see p.2, [0016]) representing a plurality of images (image storage data 30, see fig. 2, p.2, [0016]), opposite side party data representing a plurality of opposite side parties of communication (look-up table containing telephone numbers that are stored in the look-up table, see fig. 5, p.2, [0019]), combination data representing the correspondence relation between the image data and opposite side party data (look-up

table, see fig. 5, [0018]-[0020]), a display part for executing necessary displays (display device 110, see fig. 1, p.2, [0015]), an operation part for accepting operations by the operator (input device 102, see figs. 1 and 2, p.2, [0015]-[0016]), and a control part for collectively controlling the radio part, the memory part, the display part and the operational part (inherent, since a CPU or processor will be required to control storage and output of audio and picture signals, and the user interface and digital camera in the phone, see figs. 1 and 2, p.2, [0015]-[0016]), wherein; an image of image data corresponding to a pertinent opposite side party of communication is displayed on the display part under control by the control part in correspondence to at least one of a call arrival in the radio part and the acceptance of operation by the operation part based on combination data stored in the memory part (if an incoming telephone number is found in the look-up table, the image of corresponding to the incoming telephone number is displayed, see figs. 1 and 5, p.2, [0015] and [0018]).

Zhang et al fails to disclose wherein the memory part includes a communication history data representing the history of communication executed by the radio part.

In the same field of endeavor, Ranta discloses a portable communication terminal (mobile telephone 38, see fig. 3, col. 7, lines 19-21) wherein the memory part (memory 54, see fig. 3, col. 7, lines 35-36) includes a communication history data representing the history of communication executed by the radio part (the memory 54 of the mobile terminal 38 stores phone number of recently made, received and missed calls, see fig. 3, col. 2, lines 52-57 and col. 7, lines 35-43).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Ranta into the system of Zhang et al for the benefit of alerting a user of an incoming call.

Regarding **claim 2**, as applied to claim 1, Zhang et al further discloses a camera part (digital camera 20, see fig. 2, p.2 [0016]) for generating image data corresponding to a foreground object (image input device provided for the CID id downloaded from a the digital camera 20, see fig. 2, p.2, [0016]).

Regarding **claim 3**, as applied to claim 1, Zhang et al further discloses wherein the image of image data (graphs or photographs, see p.2, [0016]) corresponding to the opposite side party of communication concerning the newest non-response call arrival among the image data stored in the memory part (telephone numbers and corresponding photographs of users associated with the telephone number are stored in the look-up table, see fig. 5, p.2, [0019]), is displayed on the display part based on the non-response call arrival history data and combination data stored in the memory part (if an incoming telephone number is found in the look-up table, the image of corresponding to the incoming telephone number is displayed, see p.2, [0018]).

Zhang et al fails to disclose wherein the non-responsive call arrival history data concerning non-response call arrivals not responded in the radio part are stored as communication history data in the memory part under control by the control part.

Ranta, however, further discloses a portable communication terminal set (mobile telephone 38, see fig. 3, col. 7, lines 19-21) wherein the non-responsive call arrival history data concerning the non-responsive call arrivals not responded in the

radio part are stored as communication history data in the memory part (the memory 54 of the mobile terminal 38 stores phone number of recently made, received and missed calls, see fig. 3, col. 2, lines 52-57 and col. 7, lines 35-43) under control by a control part (control 52, see fig. 3, col. 7, lines 19-29).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Zhang et al using Ranta's invention for the benefit of alerting a user of an incoming call.

Regarding **claim 4**, as applied to claim 1, Zhang et al further discloses wherein the image of image data (graphs or photographs, see p.2, [0016]) corresponding to the opposite side party of communication concerning the first non-response call arrival subsequent to the instant of execution of the newest operation on the operational part among the image data stored in the memory part (telephone numbers and corresponding photographs of users associated with the telephone number are stored in the look-up table, see fig. 5, p.2, [0019]), is displayed on the display part based on the non-response call arrival history data and combination data stored in the memory part (if an incoming telephone number is found in the look-up table, the image of corresponding to the incoming telephone number is displayed, see p.2, [0018]).

Zhang et al lacks or does not expressly disclose wherein non-response call arrival history data concerning non-response call arrivals not responded in the radio part are stored as communication history data in the memory part under control by the control part.

However, Examiner takes official notice that the storing of non-responsive

call arrival history data concerning calls not responded to in the radio part are stored as communication history data in the memory part under control by the control part.

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to store non-responsive call arrival history data concerning calls not responded to in the radio part as communication history data in the memory part under control by the control part since the examiner takes official notice that the storing of call arrival history data concerning calls not responded to in the radio part in the memory part under control by the control part is well known.

Regarding **claim 8**, as applied to claim 1, Zhang et al further discloses wherein under control by the control part (inherent, since a CPU or processor will be required to control storage and output of audio and picture signals, and the user interface and digital camera in the phone, see figs. 1 and 2, p.2, [0015]-[0016]), message data concerning messages received in the radio part is stored in the memory part (incoming calls are stored in the caller register 106, see fig. 1, p.2, [0015]), and images of image data corresponding to opposite side parties of communication concerning the messages among the image data stored in the memory part (look-up table, see fig. 5, [0018]-[0020]) are displayed on the display part responsive to the operation of the operational part based on the stored message data and combination data stored in the memory part (if an incoming telephone number is found in the look-up table, the image of corresponding to the incoming telephone number is displayed, see p.2, [0018]).

Regarding **claim 10**, as applied to claim 2, Zhang et al further discloses wherein images of image data corresponding to pertinent opposite side parties of

communication (telephone numbers and images, see p.2, [0016]), as obtained by the pick-up in the camera part (see p.2, [0017]), are stored in the memory part under control of the control part and utilized as images to be displayed on the display part (telephone numbers and images are stored in a look-up table, and displayed, see figs. 2 and 3, p.2, [0016] and [0018]).

Regarding **claim 16**, Zhang et al further discloses a portable communication terminal set (mobile telephone, see fig. 1 and 2, p.1, [0015]) with stored data including image data representing a plurality of images (look-up table containing telephone numbers that are stored in the look-up table, see fig. 5, p.2, [0019]), opposite side party data representing a plurality of opposite side parties of communication (look-up table containing telephone numbers that are stored in the look-up table, see fig. 5, p.2, [0019]), combination data representing the correspondence relation between the image data and opposite side party data (look-up table, see fig. 5, [0018]-[0020]), wherein an image of image data corresponding to a pertinent opposite side party of communication is displayed in response to a call arrival and/or a user's operation based on combination data stored in the memory part (if an incoming telephone number is found in the look-up table, the image of corresponding to the incoming telephone number is displayed, see p.2, [0018]).

Zhang et al fails to disclose wherein the stored data of the portable communication terminal set includes a communication history data representing the history of communication.

In the same field of endeavor, Ranta discloses a portable communication terminal (mobile telephone 38, see fig. 3, col. 7, lines 19-21) with a memory part (memory 54, see fig. 3, col. 7, lines 35-36) includes a communication history data representing the history of communication (the memory 54 of the mobile terminal 38 stores phone number of recently made, received and missed calls, see fig. 3, col. 2, lines 52-57 and col. 7, lines 35-43).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Ranta into the system of Zhang et al for the benefit of alerting a user of an incoming call.

Regarding **claim 17**, as applied to claim 2, Zhang et al further discloses wherein the image of image data (graphs or photographs, see p.2, [0016]) corresponding to the opposite side party of communication concerning the newest non-response call arrival among the image data stored in the memory part (telephone numbers and corresponding photographs of users associated with the telephone number are stored in the look-up table, see fig. 5, p.2, [0019]), is displayed on the display part based on the non-response call arrival history data and combination data stored in the memory part (if an incoming telephone number is found in the look-up table, the image of corresponding to the incoming telephone number is displayed, see p.2, [0018]).

Zhang et al fails disclose wherein the non-responsive call arrival history data concerning non-response call arrivals not responded in the radio part are stored as communication history data in the memory part under control by the control part.

Ranta, however, further discloses a portable communication terminal set (mobile telephone 38, see fig. 3, col. 7, lines 19-21) wherein the non-responsive call arrival history data concerning the non-responsive call arrivals not responded in the radio part are stored as communication history data in the memory part (the memory 54 of the mobile terminal 38 stores phone number of recently made, received and missed calls, see fig. 3, col. 2, lines 52-57 and col. 7, lines 35-43) under control by a control part (control 52, see fig. 3, col. 7, lines 19-29).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Zhang et al using Ranta's invention for the benefit of alerting a user of an incoming call.

Regarding **claim 18**, as applied to claim 2, Zhang et al further discloses wherein the image of image data (graphs or photographs, see p.2, [0016]) corresponding to the opposite side party of communication concerning the first non-response call arrival subsequent to the instant of execution of the newest operation on the operational part among the image data stored in the memory part (telephone numbers and corresponding photographs of users associated with the telephone number are stored in the look-up table, see fig. 5, p.2, [0019]), is displayed on the display part based on the non-response call arrival history data and combination data stored in the memory part (if an incoming telephone number is found in the look-up table, the image of corresponding to the incoming telephone number is displayed, see p.2, [0018]).

Zhang et al fails to disclose wherein non-response call arrival history data concerning non-response call arrivals not responded in the radio part are stored as communication history data in the memory part under control by the control part.

Ranta, however, further discloses a portable communication terminal set (mobile telephone 38, see fig. 3, col. 7, lines 19-21) wherein the non-responsive call arrival not responded in the radio part are stored as communication history data in the memory part (the memory 54 of the mobile terminal 38 stores phone number of recently made, received and missed calls, see fig. 3, col. 2, lines 52-57 and col. 7, lines 35-43) under control by a control part (control 52, see fig. 3, col. 7, lines 19-29).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Zhang et al using Ranta's invention for the benefit of alerting a user of an incoming call.

4. Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Zhang et al (20030224830)** in view of **Ranta (6,751,485)**, as applied to claim 1 above, and further in view of **Paik et al (6,675,008)**.

Regarding **claim 9**, as applied to claim 1, Zhang et al discloses the claimed invention except wherein under control by the control part a predetermined part of an image of image data corresponding to a pertinent opposite side party of communication among the image data stored in the memory part is trimmed and extracted responsive to the operation of the operational part, and the image extracted by the trimming is used as an image to be displayed on the display part in an enlarged scale to fit the display area of the display part.

In the same field of endeavor, Paik et al discloses wherein under control by the control part (processor 7, see fig. 2, col. 5, lines 50-51) a predetermined part of an image of image data corresponding to a pertinent opposite side party of communication among the image data stored in the memory part (picture information, see fig. 3, col. 6, lines 20-22) is trimmed and extracted responsive to the operation of the operational part (picture compression is used for storing and transmitting the picture of a caller, see col. 5, lines 23-40), and the image extracted by the trimming is used as an image to be displayed on the display part in an enlarged scale to fit the display area of the display part (see col. 5, lines 23-40).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Paik et al into the system of Zhang et al for the benefit of providing a caller information apparatus that can transmit picture information of a caller.

Regarding **claim 12**, as applied to claim 1, Zhang et al discloses the claimed invention except wherein under control of the control part the image or a predetermined part thereof of image data corresponding to a pertinent opposite side party of communication among the image data stored in the memory part is contracted responsive to the operation of the operational part, and the contracted image is displayed on the display part in a predetermined part thereof.

In the same field of endeavor, Paik et al discloses wherein under control of the control part (processor 7, see fig. 2, col. 5, lines 50-51) the image or a predetermined part thereof of image data corresponding to a pertinent opposite side

party of communication among the image data stored in the memory part (picture information, see fig. 3, col. 6, lines 20-22) is contracted responsive to the operation of the operational part (picture size converting unit 10, see fig. 2, col. 5, lines 53-55), and the contracted image is displayed on the display part in a predetermined part thereof (see col. 5, lines 23-40).

It would therefore have been obvious to one of ordinary skill in the art to further modify the combination of Paik et al and Zhang et al for the benefit of providing a caller information apparatus that can transmit picture information of a caller.

5. Claims 11, 13, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable **Zhang et al (20030224830)** in view of **Ranta (6,751,485)**, as applied to claim 1 above, and further in view of **Mun et al (20030022659)**.

Regarding **claim 11**, as applied to claim 1, Zhang et al further discloses wherein images of image data corresponding to opposite side parties of communication (telephone numbers and images, see p.2, [0016]), are stored in the memory part under control of the control part and utilized as images to be displayed on the display part (telephone numbers and images are stored in a look-up table, and displayed, see figs. 2 and 3, p.2, [0016] and [0018]).

Zhang fails to disclose wherein the images of image data corresponding to opposite sides of communication are obtained by communication of the radio part.

In the same field of endeavor, Mun et al further discloses wherein the images of image data corresponding to opposite sides of communication (picture caller identification, PCID, see p.2, [0024]) are obtained by communication of the radio part

(inherent, since the PCID is transmitted from the MSC 230 to a MS 250, indicating that the MS250 has a radio part consisting of at least an antenna and a transceiver to receive audio and video signals, see fig. 7, p.3, [0035]).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Mun et al into the system of Zhang et al for the benefit of providing specific caller ID information to a called party in order to better identify the caller.

Regarding **claim 13**, as applied to claim 1, Zhang et al discloses the claimed invention except wherein under control by the control part letter row is displayed together with the image display on the display part based on letter data received in the radio part or preliminarily stored in the memory part.

In the same field of endeavor, Mun et al discloses wherein under control by the control part (inherent, since a CPU or processor is required in a mobile station to control input and output audio and data/image signal) letter row (caller identification, CID, see p. 3, [0035]) is displayed together with the image display on the display part based on letter data received in the radio part or preliminarily stored in the memory part (CID and PDID of the caller from MS 210 are displayed, see fig. 7, p. 3, [0035]).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Zhang et al and Mun et al for the benefit of providing specific caller ID information to a called party in order to better identify the caller.

Regarding **claim 14**, as applied to claim 13, Zhang et al further discloses wherein the letter data primarily stored in the memory part may include letter row data representing opposite side parties of communication (telephone numbers and corresponding photographs of users associated with the telephone number are stored in the look-up table, see fig. 5, p.2, [0019]).

Regarding **claim 15**, as applied to claim 13, Zhang et al further discloses wherein the letter adapt preliminary stored in the memory part includes letter row data preset with the operators will on the basis of the operational part (telephone numbers and corresponding photographs of users associated with the telephone number are stored in the look-up table, see fig. 5, p.2, [0019]).

Allowable Subject Matter

6. Claims 5-7, 19 and 20 are allowed.

Response to Arguments

7. Applicant's arguments filed 3 July 2006 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the suggestion to

combine Zhang et al and Ranta can be found in the summary of the Ranta reference (see disclosure of the invention, see col. 1, lines 61-67 and col. 2, lines 1-9).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Regarding claim 1, Zhang et al discloses as stated in claim 1 the limitation of "a memory part for storing data including image data representing a plurality of images, opposite side party data representing a plurality of opposite side parties of communication, combination data representing the correspondence relation between the image data and opposite side party data, a display part for executing necessary displays, an operation part for accepting operations by the operator, and a control part for collectively controlling the radio part, the memory part, the display part and the operational part, wherein; an image of image data corresponding to a pertinent opposite side party of communication is displayed on the display part under control by the control part in correspondence to at least one of a call arrival in the radio part and the acceptance of operation by the operation part based on combination data stored in the memory part" (see claim 1 rejection above). Ranta discloses/teaches the feature/limitation of "a portable communication terminal wherein the memory part includes a communication history data representing the history of communication executed by the radio part (a mobile telephone capable of storing phone numbers of recently made or received calls, see col. 1, lines 62-67, col. 2, lines 1-9). Therefore the

examiner respectfully disagrees with applicant's argument that the combination is based on hindsight-based analysis as the applied references provide more than enough support. Claim 1 thus stands rejected. Claims 2-4 and 8-18 based on their being dependent on claim 1.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morita (6,766,018) discloses a portable telephone.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olumide T. Ajibade-Akonai whose telephone number is 571-272-6496. The examiner can normally be reached on M-F, 8.30p-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER